

## Message Text

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ORIGIN NEA-07

INFO OCT-01 SS-14 ISO-00 IO-03 L-01 OES-02 DLOS-03 NSC-05

NSCE-00 INR-05 CIAE-00 OFA-01 SAL-01 SP-02 PM-03 EB-03

DODE-00 TRSE-00 /051 R

DRAFTED BY NEA/PAB:MAUSTRIAN:MRC

APPROVED BY NEA/PAB:RAPECK

IO/PPR:ASCHIFFERDECKER

L/OES:BOXMAN (SUBS)

----- 028290

R 060200Z MAR 76

FM SECSTATE WASHDC

TO AMEMBASSY KABUL

INFO USMISSION USUN NEW YORK

C O N F I D E N T I A L STATE 055101

LIMDIS, FOR AM0ASSADOR FROM AUSTRIAN

E.O. 11652: GDS

TAGS: PLOS

SUBJECT: LOS

REF: STATE 025245

1. AS FOLLOW UP TO MEETING WITH ASST. SEC. LEWIS CITED REFTEL, DEPARTMENT ARRANGED MARCH 1 BRIEFING FOR AMB. MALIKYAR BY ASST. LEGAL ADVISER OXMAN ON UPCOMING LOS MEETING IN NEW YORK. IT WAS APPARENT THAT MALIKYAR WAS UNPREPARED AND UNWILLING TO DISCUSS THE SUBSTANCE OF THE ISSUES WHICH MAY ARISE AT THIS CONFERENCE. DESPITE OUR URGING, HE DID NOT BRING DR. TARZI, WHO FOLLOWS LOS AFFAIRS FOR THE AFGHAN EMBASSY, TO THE OXMAN BRIEFING.

2. OXMAN ATTEMPTED TO CONVEY OUR VIEW THAT TIME IS RUNNING  
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OUT FOR A LOS AGREEMENT. HE POINTED OUT TO MALIKYAR THAT

IF AGREEMENT IS NOT REACHED THIS YEAR (EITHER AT NEW YORK OR AT A POSSIBLE SUBSEQUENT MEETING IN GENEVA THIS SUMMER) IT WILL BE DIFFICULT TO MAINTAIN MOMENTUM AND STATES WILL BE TEMPTED TO TAKE UNILATERAL STEPS.

3. MALIKYAR WAS BRIEFED ON THE SINGLE NEGOTIATING TEXT WHICH EMERGED FROM GENEVA AND ON OUR ASSUMPTION THAT THE NEW YORK NEGOTIATIONS WILL PROCEED FROM THIS. (THE

EXCEPTION IS DEEP SEA BEDS WHERE SIGNIFICANT DIFFERENCES OF OPINION AMONG PARTICIPATING STATES STILL EXIST.) OXMAN NOTED THAT SOME ISSUES OF CONCERN TO LANDLOCKED STATES, FROM THEIR POINT OF VIEW, ARE NOT ADEQUATELY DEALT WITH IN THE TEXT AND SAID THESE MUST BE TAKEN INTO ACCOUNT IF THERE IS TO BE A BROAD BASED AGREEMENT. HOWEVER, IT WAS POINTED OUT THAT THE CONFERENCE WILL ALMOST CERTAINLY FAIL IF PARTICIPATING STATES MAINTAIN RIGID POSITIONS AND PROCEED WITH BLOC VOTING IN AN EFFORT TO FORCE THEIR POSITIONS BY SIMPLE MAJORITY VOTES. FLEXIBILITY AND COMPROMISE WILL BE REQUIRED.

4. OXMAN TOLD MALIKYAR THAT U.S. MAY NEED TO CALL UPON AFGHANISTAN FOR TACTICAL ADVISE IN NEW YORK, NOTING IN THE PAST WE HAVE BEEN ADVISED TO MAINTAIN SOME DISTANCE BETWEEN OURSELVES AND THE LANDLOCKED NATIONS, DESPITE THE COMMONALITY OF OUR INTERESTS. MALIKYAR AGREED THAT AN EXCHANGE OF VIEWS WOULD BE USEFUL, PARTICULARLY FOR THOSE STATES WITH LIMITED STAFFS. HE LOOKED FORWARD TO CONTACT WITH OUR DELEGATION IN NEW YORK.

5. IN DISCUSSIONS WITH THE FOREIGN MINISTRY YOU MAY WISH STRESS URGENCY AND NEED FOR COMPROMISE NOTED PARAS 2 AND 3 ABOVE. KISSINGER

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## Message Attributes

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